

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a variance from Section 10-18.06.03 D, COMAR, to allow a compacted crusher-run parking lot to remain in lieu of a bituminous surface.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

SEE ATTACHED LETTER

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)

Signature: _____
Date: _____

Address: _____
City and State: _____

Attorney for Petitioner: _____
(Type or Print Name)

Signature: _____
Date: _____

Address: _____
City and State: _____

Attorney's Telephone No.: _____

Name, address and phone number of legal owner, contract purchaser or representative to be contacted: _____
OSCAR I. ZERNITZ
3304 MARNAT RD.
301-484-1254

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1985, at 9:30 o'clock.

Carl John
Zoning Commissioner of Baltimore County.

(over)

Synagogue Office
(301) 484-6114

Rabbi's Study: (301) 486-2532
Rabbi's Home: (301) 358-6377

Suburban Orthodox Congregation Toras Chaim

7504 Seven Mile Lane
Baltimore, Maryland 21208

*Rabbi Chaim Gershtman Z.L.
1st Rabbi, 1957-1976
1983-1984 Term
Chairman of the Board
Leroy Shapiro
President
Morton M. Esterson
1st Vice President
Raymond Breach
2nd Vice President
Paul Davidson
Secretary
Joseph Westcott
Treasurer
Edwin Spector
Gabbay
Morris Kahn
Joseph Yudin
*Deceased

RABBI ERVIN PREIS
CANTOR PHILIP ROSENBLATT

Zoning Commissioner of Baltimore County

1. Economics: The congregation has spent all monies on the building beyond the amount that was budgeted.
2. A crusher-run surface is less expensive to maintain.
3. The present surface has been (and should continue to be) treated in order to keep the dust down, (sprayed with a Hardener and Rolled).
4. Because of the topography of our lot in relationship to the 2 contiguous properties, Macadamizing our lot will cause rain water to run onto adjacent properties and create either pools of water, a muddy area, or even worse flooding conditions.
5. Suburban Orthodox Congregation being Orthodox, auto parking is not required because driving to synagogues is not permitted on the Sabbath or Religious Holidays.
6. The present 15-17 parking spaces that show on the existing bituminous paving is more than sufficient for our facilities, (having been proven since the facilities have been completed).
7. Had we had the money the copy of enclosed paving contract was received too late to pave last year as the Asphalt Batch Plants had shut down for the winter,

RE: PETITION FOR VARIANCE
W/S of Seven Mile Lane,
105' S of the Centerline
of Slade Ave. (7504
Seven Mile Lane), 3rd Dist.
SUBURBAN ORTHODOX
CONGREGATION, Petitioner

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 85-196-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2168

I HEREBY CERTIFY that on this 5th day of March, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. Oscar Zernitz, A. A. Bldg. Comm., Suburban Orthodox Congregation, 3304 Marnat Rd., Baltimore, MD 21208, Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

RE: PETITION FOR VARIANCE
W/S of Seven Mile Lane,
105' S of the centerline of
Slade Avenue, 3rd District
Suburban Orthodox Congregation -
Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

Case No. 85-196-A

The Petitioner herein requests a variance to permit a compacted crusher-run parking lot to remain in lieu of the required bituminous surface.

Testimony on behalf of the Petitioner indicates that the Orthodox Jewish congregation is comprised of 285 persons and utilizes a twenty-four year old building with 340 seats. The congregation enlarged its facilities by adding a social hall with a capacity of 300 and acquired additional land to provide the required parking. An occupancy permit was granted contingent upon the parking lot being completed. A road and some parking spaces were paved with a bituminous surface; the remainder of the parking lot is crusher-run.

A member of the congregation, who has lived one-half block away for 25 years, testified that he has never seen more than 30 cars on the premises. Although the Orthodox belief is that driving is not permitted on the Sabbath, some persons do drive to service. On the Sabbath a chain at the entrance to the driveway has prevented parking on the site.

Testimony by a Protestant, a neighbor immediately across the street, indicated persons attending services do drive and park on nearby streets because the synagogue parking lot is not available. Those exiting social functions cause neighborhood disturbances as late as midnight when they retrieve their automobiles. His neighbor was the use of streets for parking rather than the surface. Both parties to the hearing stipulated that the Deputy Zoning Commissioner,

ORDER RECEIVED FOR FILING

DATE May 1, 1985
BY *Richard A. Shulman*
ADMINISTRATIVE ASSISTANT

could visit the site and the general neighborhood.

After due consideration of the testimony and evidence presented, as well as a field inspection of the site, and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner and the granting of the variance requested would not adversely affect the health, safety, and general welfare of the community, and, therefore, the variance should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 1st day of May, 1985, that the herein Petition for Variance to permit a compacted crusher-run parking lot to remain in lieu of the required bituminous surface, in accordance with the site plan submitted and filed herein, is GRANTED, from and after the date of this Order, subject to the following:

1. The parking lot shall be unchained and open for use at all times that any portion of the synagogue, building or site is in use.
 2. Notification shall routinely be placed in congregational publications that motor vehicles should be parked in the lot provided rather than on nearby streets and any person arranging social events in the facilities shall be advised likewise.
 3. At any such time as the site becomes the regular location of a congregation that is not Orthodox Jewish, a Petition for Special Hearing shall be submitted and a hearing conducted to determine whether the compacted crusher-run parking lot shall be permitted to continue in lieu of the required bituminous surface.
- Compliance with requirements of Maryland Department of Health and Mental Hygiene Section 10-18.06.03 D, COMAR, by taking reasonable precautions

to prevent particulate matter from being airborne and with requirements of the comments of the Baltimore County Bureau of Environmental Services, dated January 3, 1985.

5. Within five years, evergreens shall be planted along the lines between the synagogue and the existing dwellings owned by the congregation and between those dwellings and the parking lot. Within ten years, those evergreens shall form a compact screen at least five feet in height.

John M. H. Jones
Deputy Zoning Commissioner
of Baltimore County

85-196-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of December, 1984.

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

Petitioner: Suburban Orthodox Congregation
Petitioner's Attorney: *Nicholas B. Commodari*
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 12/1/84
Item # 140
Property Owner: Suburban Orthodox Congregation
Location: 7504 Slade Ave.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- () There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the Floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- (X) Landscaping: Must comply with Baltimore County Landscape Manual.
- () The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- (X) Additional comments:
Hand parking areas must comply with Landscape Manual Standards.

cc: James Hoswell

Eugene A. Rober
Chief, Current Planning and Development

AUG 20 1985

ORDER RECEIVED FOR FILING

DATE May 1, 1985
BY *Richard A. Shulman*
ADMINISTRATIVE ASSISTANT

ORDER RECEIVED FOR FILING

DATE May 1, 1985
BY *Richard A. Shulman*
ADMINISTRATIVE ASSISTANT

85-196-A CERTIFICATE OF PUBLICATION

TOWSON, MD., February 28 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper, printed and published in Towson, Baltimore County, Md., appearing on February 28 1985

THE JEFFERSONIAN,
18 Kentink
Publisher

\$18.00

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd Date of Posting: 2-28-85
Posted for: Varian
Petitioner: Suburban Orthodox Congregation
Location of property: W/S of Seven Mile Lane, 105' S. of the centerline of Slade Avenue (7504 Seven Mile Lane)
Location of Sign: West side of Seven Mile Lane, in front of 7504
Remarks: A.I. Jablon
Posted by: A.I. Jablon Date of return: 3-6-85
Number of Signs: 1

Synagogue Office (301) 484-6114 Rabbi's Study: (301) 486-2532 Rabbi's Home: (301) 358-6377

Suburban Orthodox Congregation Toras Chaim

7504 Seven Mile Lane
Baltimore, Maryland 21208

Rabbi Chaim Gewirtzman Z.L.
1st Rabbi: 1957-1978
1983-1984 Term
Chairman of the Board
Leroy Shapiro
President
Morton M. Esterson
1st Vice-President
Seymour Bayuk
2nd Vice-President
Paul Diamond
Secretary
Joseph Wesskopf
Treasurer
Edwin Spector
Gabriel
Morris Kahn
Joseph Yudin
Deceased

RABBI ERVIN PREIS
CANTOR PHILIP ROSENBLATT

A DESCRIPTION OF 7. SEVEN MILE LANE PROPERTY

Beginning on the west side of Seven Mile Lane approximately 105 feet south of the center line of Slade Avenue and running North 11°03' 29" thence south 72°18' west 295' thence south 18°14' east 161.73' thence by a curve to the left of an arc 94.02' thence south 16°30' west 39.68' east; thence N 88°37' east 268.95' to the place of beginning and also known as 7504 Seven Mile Lane, in pikesville, Maryland 21208.

PETITION FOR VARIANCE 3rd Election District

LOCATION: West side of Seven Mile Lane, 105 feet South of the centerline of Slade Avenue (7504 Seven Mile Lane)
DATE AND TIME: Tuesday, March 19, 1985 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to allow a compacted crusher-run parking lot to remain in lieu of a bituminous surface.

Being the property of Suburban Orthodox Congregation as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

March 7, 1985

Mr. Oscar Zervitz
Suburban Orthodox Congregation
Building Committee
7504 Seven Mile Lane
Baltimore, Maryland 21208

RE: Petition for Variance
W/S Seven Mile Lane, 105' S of the c/l
of Slade Avenue
Suburban Orthodox Congregation - Petitioner
Case No. 85-196-A

Dear Mr. Zervitz:

This is to advise you that \$45.00 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND No. 005322
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 3/11/85 ACCOUNT: 85-196-A
AMOUNT: \$45.00
RECEIVED FROM: [Signature]
FOR: [Signature]
VALIDATION OR SIGNATURE OF CASHIER



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

December 26, 1984

Mr. Oscar Zervitz
Suburban Orthodox Congregation
Building Committee
7504 Seven Mile Lane
Baltimore, Maryland 21208

RE: Petition for Variance
W/S Seven Mile Lane, 105' S of the c/l of Slade Avenue
Suburban Orthodox Congregation - Petitioner
Case No. 85-196-A

Dear Mr. Zervitz:

Please be advised that your request for a postponement of the subject case has been granted. You are responsible for the advertising and posting costs, in the amount of \$50.00, which is due upon receipt of this letter. Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204. Upon the rescheduling of the hearing, a subsequent bill will be issued for the second advertising and posting costs incurred.

If this postponement was due to a previous court assignment, please submit a copy of the assignment to this office for our file. You will be notified in writing of a rescheduled hearing date.

Very truly yours,

[Signature]
ARNOLD JABLON
Zoning Commissioner

AJ:aj

Synagogue Office (301) 484-6114 Rabbi's Study: (301) 486-2532 Rabbi's Home: (301) 358-6377

Suburban Orthodox Congregation Toras Chaim

7504 Seven Mile Lane
Baltimore, Maryland 21208

Rabbi Chaim Gewirtzman Z.L.
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Morris Kahn
Joseph Yudin
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RABBI ERVIN PREIS
CANTOR PHILIP ROSENBLATT

Mr. Arnold Jablon
Zoning Commissioner of Baltimore County
Room 106
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Jablon,

Please refer to case #85-196-A.

I received a notice of hearing with regards to the petition for variances on Wednesday, January 16, 1985.

It would be greatly appreciated if you could arrange for this hearing to take place at your convenience in March 1985, since I will be out of town from January 2, thru March 3, 1985. As a matter of fact I have already requested a postponement for the court hearing on the same matter that was scheduled for February 27, 1985.

Please try to accommodate me in this matter and advise me of the new date.

Sincerely yours,

[Signature]
Suburban Orthodox Congregation - Petitioner
Member of Building Committee
Oscar Zervitz

OZ/rpl

PETITION FOR VARIANCE 3rd Election District

LOCATION: West side of Seven Mile Lane, 105 feet South of the centerline of Slade Avenue (7504 Seven Mile Lane)
DATE AND TIME: Tuesday, March 19, 1985 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to allow a compacted crusher-run parking lot to remain in lieu of a bituminous surface.

Being the property of Suburban Orthodox Congregation as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

February 7, 1985

Mr. Oscar I. Zervitz
3304 Harriet Road
Baltimore, Maryland 21208

NOTICE OF HEARING

RE: Petition for Variance
W/S Seven Mile Lane, 105' S of the c/l of Slade Avenue
Suburban Orthodox Congregation - Petitioner
Case No. 85-196-A

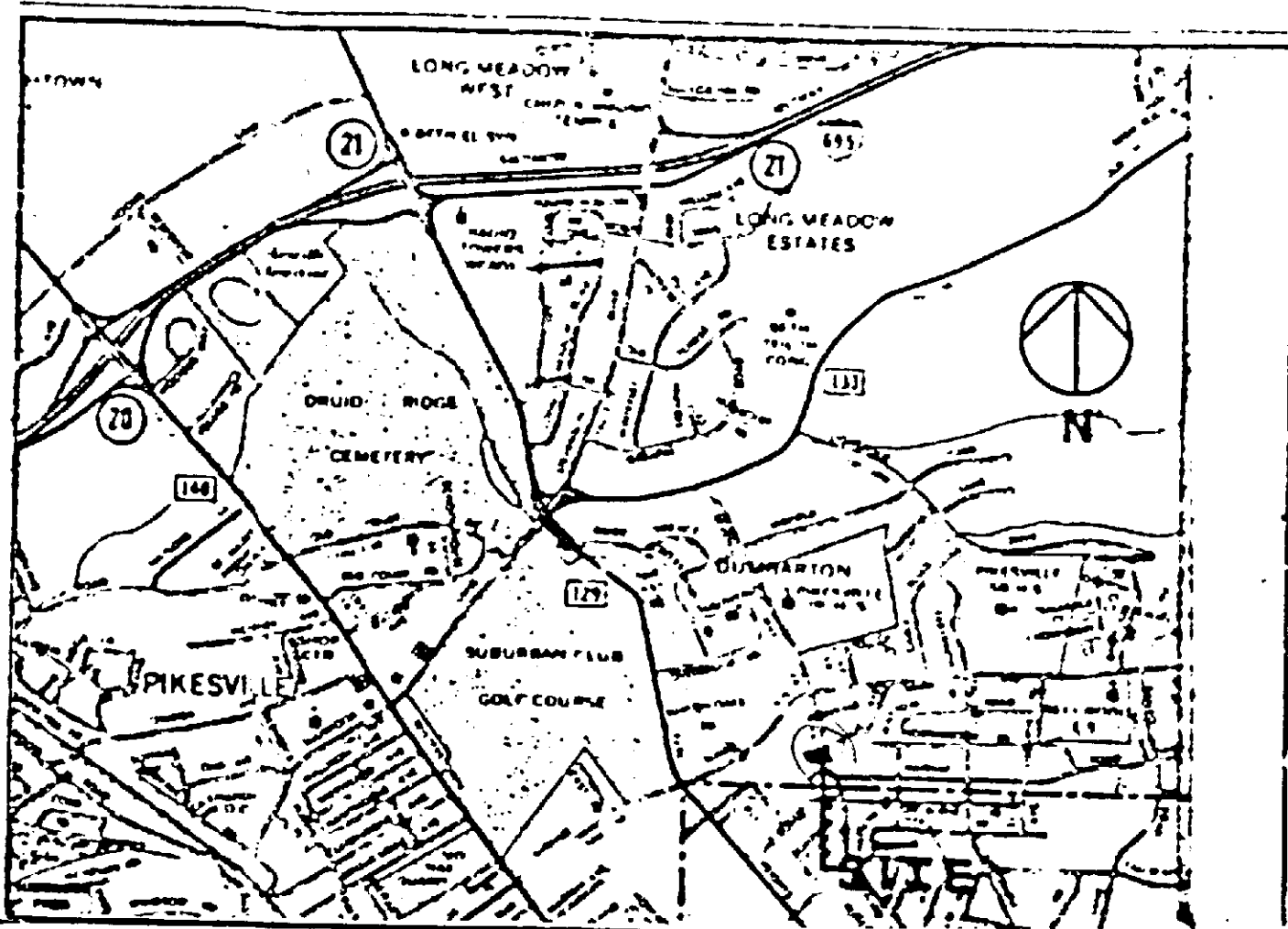
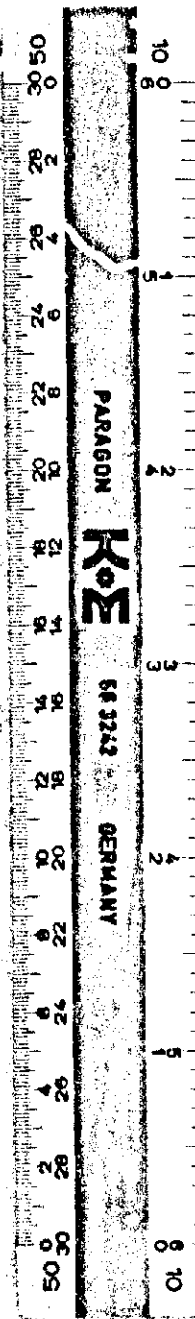
TIME: 9:30 A.M.

DATE: Tuesday, March 19, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

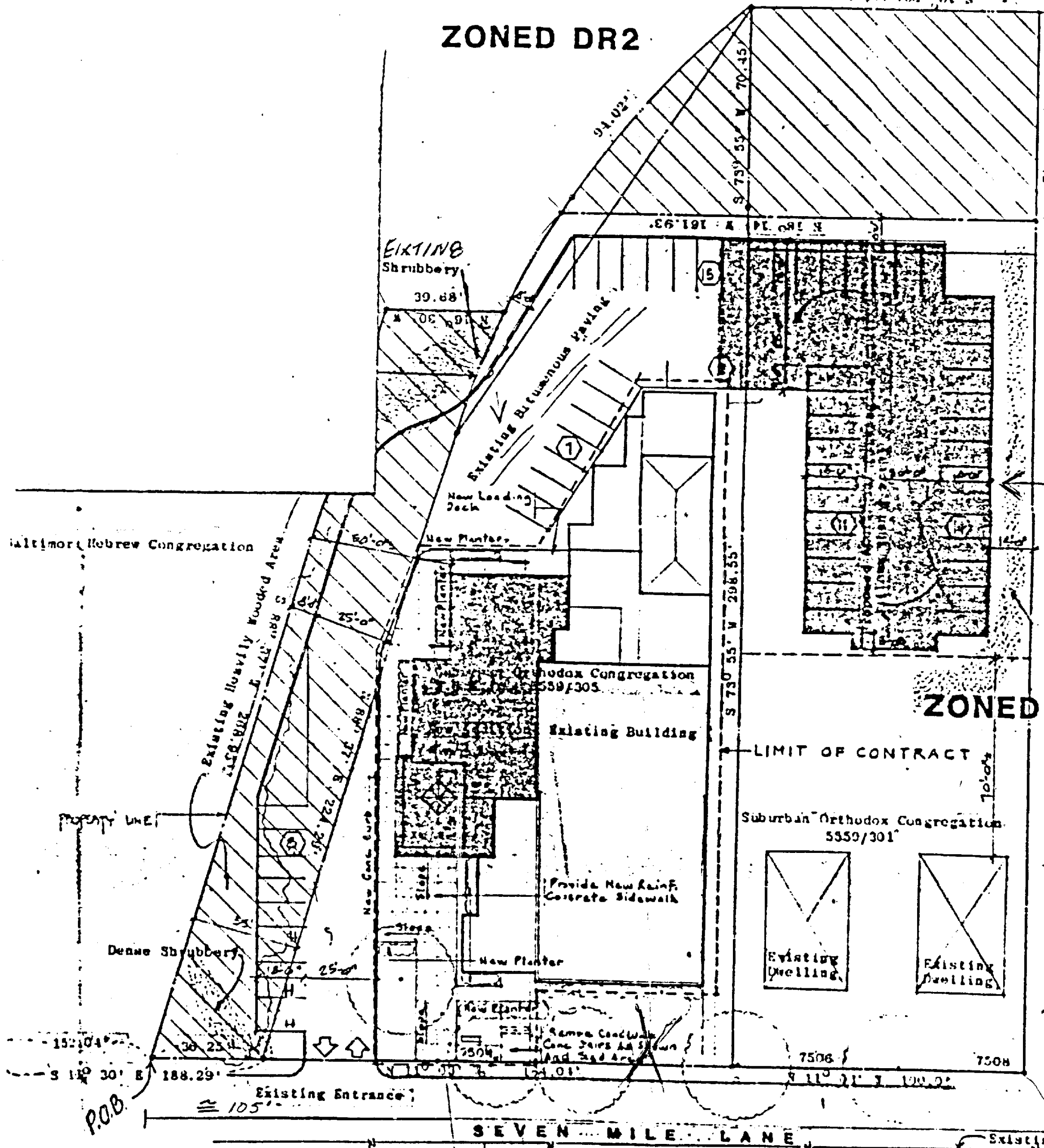
[Signature]
Zoning Commissioner
of Baltimore County

BALTIMORE COUNTY, MARYLAND No. 135813
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE: 1/22/84 ACCOUNT: R-51-617-200
AMOUNT: 100.00
RECEIVED FROM: [Signature]
FOR: [Signature]
#11010
VALIDATION OR SIGNATURE OF CASHIER



VICINITY MAP

ZONED DR2



VARIANCE PLAT
TO WAIVE PAVING ONLY
REQUIREMENT FOR
PARKING AREA
ALREADY STONE

EXISTING Dense Shrubbery

ZONED DR5.5

EXISTING 11/1/64

PARKING LEGEND

REQUIRED (1 car/6 seats)	
340 SEATS	= 57 SPACES
PROVIDED (7x23)	2
(23x23)	52
WANTED (2x23)	5
TOTAL	59 SPACES

Stamp: APPROVED, ELECTION, DISTRICT, DATE, and other administrative markings.

SUBURBAN CATHODOX
CONGREGATION
7504 SEVEN MILE LANE

NOTES

- Contractor shall seed all disturbed ground areas not shown to be planted. (UNDERSIDE N.I.C.)
- Provide a Landscape Allowance of \$500.00 (N.I.C.) for Lighting (See Spt. A-1)
- Contractor shall not pour concrete until field survey is taken to show existing and proposed drainage. Approval must be received by Engineer before pouring. (N.I.C.)
- Final Grading Plan to be provided w/Requirement of Agency

Site Information Taken From Survey Taken By S.J. Martonnet and Co.
9 E. Lexington Street, Baltimore, MD 21202 3/30/82 & 7/24/82

SITE PLAN

